

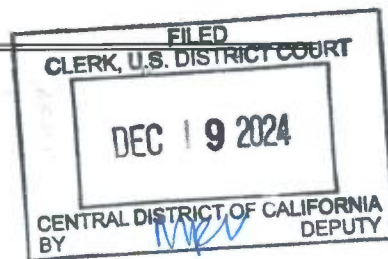
Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

Southern District of California

Western Division



David Sutherland Libuser

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Federal Communications Commission,
Environmental Protection Agency,
National Institute of Standards and Technology

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No. 2:24cv11049-MEMF-MAA
(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☐ Yes ☒ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	David Sutherland Libuser		
Address	General Delivery		
	Los Angeles	CA	90024
	City	State	Zip Code
County	Los Angeles		
Telephone Number	(310)839-5937		
E-Mail Address	lightjedi@gmx.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Federal Communications Commission		
Job or Title (if known)	Federal Agency		
Address	45 L Street		
	NE Washington	DC	20554
	City	State	Zip Code
County	Washington		
Telephone Number	(888)225-5322		
E-Mail Address (if known)	MediaRelations@fcc.gov		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

Defendant No. 2

Name	Environmental Protection Agency		
Job or Title (if known)	Federal Agency		
Address	1200 Pennsylvania Avenue		
	NW Washington	DC	20004
	City	State	Zip Code
County	Washington		
Telephone Number	(202)564-4700		
E-Mail Address (if known)	complianceinfo@epa.gov		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

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Defendant No. 3

Name National Institute of Standards and Technology
 Job or Title (if known) Federal Agency
 Address 100 Bureau Dr
 Gaithersburg MD 20899
 City State Zip Code
 County Montgomery
 Telephone Number (301)975-2000
 E-Mail Address (if known) unknown
☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name
 Job or Title (if known)
 Address
 City State Zip Code
 County
 Telephone Number
 E-Mail Address (if known)
☐ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☒ Federal officials (a *Bivens* claim)
☐ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

The plaintiff alleges that his eighth, ninth and fourteenth amendment rights have been violated by the defendants.

- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- The plaintiff alleges that the defendants each acted under color of federal law, in a coordinated manner with one another, when they used congressionally granted authority to approve technologies and products for use which they knew were neither safe nor fit for use.
-

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
Nationwide, in the United States of America.
-

- B. What date and approximate time did the events giving rise to your claim(s) occur?
The approximate time period in which the events giving rise to the claims of the plaintiff occurred is the period between when the defendants were created up until present day.
-

- C. What are the facts underlying your claim(s)? (*For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)
The plaintiff alleges that he has suffered many headaches and other body pains in and around electrical equipment and has shared many similar experiences in various discussions with other fellow citizens who wish to remain anonymous.

The plaintiff alleges that the defendants have always known of the health hazards which are posed by the technologies that they have approved as safe for use.

The plaintiff alleges that the defendants have approved for use cell phones, computers, cellular towers and antennas, radio towers and antennas, smart watches and many other similar electronic devices, the toxicity of which has been known to the defendants from the time that each of these electronic devices were created.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

The plaintiff alleges that he has suffered recurring headaches and other body pains in close proximity to and in interacting with various electronic equipment.

The plaintiff has not received any medical treatment for his headaches and other body pains in relation to interacting with and being in close proximity to various electronic equipment.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

The plaintiff is requesting the court order the defendants to cease and desist from approving technologies and products for use which they know are not safe for use.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/17/2024

Signature of Plaintiff



Printed Name of Plaintiff

David Sutherland Libuser

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

LOS ANGELES

17 DEC 2024 PM 11

RDC 99

United States District Courthouse
350 W 1st Street
Los Angeles, CA 90012

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DEC 19 2024

CENTRAL DISTRICT OF CALIFORNIA

90012-453699

